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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,727	02/20/2004	Takao Yamamoto	0505-1273P	3598
2292	7590	10/12/2006		EXAMINER
		BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747		CARTER, WILLIAM JOSEPH
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/781,727	YAMAMOTO, TAKAO
	Examiner	Art Unit
	William J. Carter	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 August 2006.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3-12 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-12 and 14-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 February 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 7-10, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Friday (5,856,779).

With respect to claim 1, Friday teaches a lamp apparatus (10) for a vehicle comprising: a body frame (column 4, lines 10-15) having a lamp unit (14) including a supporting member (11); the lamp unit having a light emitting diode (12) as a light source in a lamp body (14); and voltage adjustment means (25) for adjusting a voltage to be applied to the light emitting diode; wherein the voltage adjustment means is provided separately outside the lamp body (18 in Fig. 3), and wherein the voltage adjustment means (25) is disposed within an accommodation portion (portion of 11 where 18 is disposed in Fig. 3) of the supporting member (11).

As for claim 3, Friday teaches the lamp apparatus (10) further includes a lamp relay apparatus (27).

As for claim 4, Friday teaches a relay (27) operatively connected to the voltage adjustment mean (25) for selectively turning the lamp unit (14) on and off (column 4, lines 50-55).

As for claim 7, Friday teaches a blinker apparatus (10) for a vehicle comprising: a blinker (14) having a light emitting diode (12) as a light source in a lamp body (15); and a voltage adjustment means (25) to be applied to the light emitting diode; wherein the voltage adjustment means is integrally (Fig. 4; as can clearly be seen in figure 4, the dotted line 18 indicated the blinker relay and item 25 is the voltage adjustment means within the dotted line 18, thus integrally provided in) provided in a blinker relay (18) separately from the lamp body (Fig. 3), and wherein the blinker relay (18) is attached to a vehicle body frame of the vehicle (via item 11, blinker relay 18 is attached to lamp housing 11 which must be attached to the vehicle body which must be attached to the vehicle body frame, therefore making blinker relay 18 is attached to the vehicle body frame).

As for claim 8, Friday teaches, the voltage adjustment means (25) is a resistor.

As for claim 9, Friday teaches, a lamp relay apparatus (18), the boltage adjustment means (25) being positioned within the lamp relay apparatus (Fig. 4) and being provided separately relative the lamp body (15) (Fig. 3).

As for claim 10, Friday teaches a relay (27) operatively connected (Fig. 4) to said voltage adjustment means (25) for selectively turning the light emitting diode (12) on and off (column 4, lines 50-55).

As for claim 13, Friday teaches a lamp body (15) formed from a member having a high heat transfer property (column 4, lines 13-15); wherein the light emitting diode is attached to part of the lamp body case (Fig. 1).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday in view of Meggs et al. (4,597,033).

As for claim 5 and 11, Friday teaches all of the claimed elements as disclosed above, as well as, an oscillation circuit (18) and a relay coil (27a). Friday does not explicitly teach an armature for operating in response to a magnetic force from the relay coil. By definition (<http://electronics.howstuffworks.com/relay1.htm>) the relay (48 and circuit shown in Fig. 8) of Meggs includes a relay coil and a magnetic force (electromagnet) and an armature for operating in response to a magnetic force from the relay coil. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the relay of Meggs to receive the output from the oscillation circuit of Friday in order to selectively activate the LED lighting when the vehicle loses power (column 6, lines 21-23).

Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday.

With respect to claims 6 and 12, Friday teaches a relay (27) operatively connected to the voltage adjustment means (25) for selectively turning the lamp unit (14) on and off (column 4, lines 50-55). Friday does not explicitly teach the voltage

adjustment means (25) is disposed in a separate housing relative to the relay, but Friday does teach another voltage adjustment means (25') disposed in a separate housing (column 6, line 20-21) relative the housing (18) of the relay (27). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use resistor 25' instead of resistor 25 as the voltage adjustment means of Friday, in order to supply electrical current of the proper voltage to the lamp unit (column 6, lines 20-26).

Claims 14-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday in view of Nishihashi et al. (5,038,255) and Hsu (6,648,495).

As for claim 14, Friday teaches a voltage adjustment means (25') for adjusting a voltage to be applied (Fig. 4) to the light emitting diode (12); and lamp body case (15) formed of a heat radiating member (column 4, lines 13-14). Friday does not explicitly teach the voltage adjustment means being attached to the heat radiating member and the light emitting diode being attached to the heat radiating member in a spaced relationship from the voltage adjustment means, wherein the lamp body case includes a bottom wall and a circumferential wall so as to form a tubular-shaped lamp body case having an opening on a side opposite to the bottom wall, and including a high heat radiating cover covering the opening. Nishihashi, also drawn to vehicular lamps, teaches a voltage adjustment means (6) being attached to a heat radiating member (2) and a light emitting diode (5a) being attached to the heat radiating member in a spaced relationship from the voltage adjustment means (Fig. 3), wherein a lamp body case (2) includes a bottom wall and a circumferential wall so as to form a tubular-shaped lamp body case having an opening on a side opposite to the bottom wall (Fig. 7). It would

have been obvious to use the heat radiating lamp body case of Nishihashi in the vehicular lamp of Friday, in order to stop heat from accumulating in the lamp chamber (Abstract). Hsu, also drawn to LED lighting, teaches a high heat radiating cover (2) covering an opening (Fig. 6) on the bottom of a lamp body case (1). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the high heat radiating cover of Hsu in the vehicular lamp of Friday, in order to effectively dissipate heat outwardly from the LED light (Abstract).

As for claim 15, Friday teaches the voltage adjustment means (25') is positioned on a bottom wall (13) disposed directly adjacent (column 6, lines 20-26) to the light emitting diodes (12).

As for claim 16, Friday teaches the bottom wall (13) has a greater thickness (Figs. 1 and 2) relative to a circumferential wall (15) of the lamp apparatus (10).

As for claim 19, Friday teaches a resistance circuit (25') attached to an inner side of a cover (13) mounted (column 6, lines 20-26) in a rear opening of the lamp apparatus (10) (Fig. 3).

Claims 17 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Friday, Nishihashi, and Hsu as applied to claim 14 above, and further in view of Serizawa (6,715,909).

As for claims 17 and 18, Friday, Nishihashi, and Hsu teach all of the claimed elements as disclosed above, except for an electric circuit being spaced apart with a partition wall between the resistance circuit that is positioned on a circumferential wall of the lamp apparatus. Serizawa, drawn to LED lighting in vehicles, teaches a resistance

circuit (20) positioned on a circumferential wall (2) of the lamp apparatus (1) being spaced apart from an electric circuit ("electric power supply" from Abstract) by a partition wall (21). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the circuitry arrangement of Serizawa in the lamp apparatus of Friday, in order to make the electrically connecting portions of the lamp waterproof (column 4, lines 25-30).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wjc  
10/04/06

*Ali Alavi*  
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PRIMARY EXAMINER